

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
GREENVILLE DIVISION**

**MAJOR RICE,**

**PLAINTIFF**

**V.**

**NO. 4:05CV207-GHD-EMB**

**LOWE'S OF GREENVILLE MISS., INC.,**

**DEFENDANT**

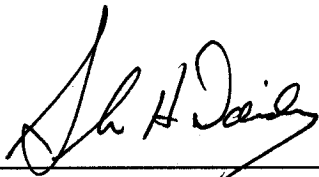
**ORDER**

Upon consideration of the file and record of this action, the Court finds that the Report and Recommendation of the United States Magistrate Judge dated October 24, 2005, was on that date duly served by regular mail upon the *pro se* plaintiff at his last known address; that more than ten days have elapsed since service of said Report and Recommendation; and that no objection thereto has been filed or served by any party. The Court is of the opinion that the magistrate judge's Report and Recommendation should be approved and adopted as the opinion of the Court. It is, therefore

**ORDERED:**

1. That the Report and Recommendation of the United States Magistrate Judge dated October 24, 2005, is approved and adopted as the opinion of the Court;
2. That plaintiff's motions for leave to proceed *in forma pauperis* and for appointment of counsel are denied; and
3. That the Clerk shall forthwith CLOSE this case.

THIS, the 14<sup>th</sup> day of Nov, 2005.

  
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**CHIEF JUDGE**